



California Regional Water Quality Control Board

Santa Ana Region

Alan C. Lloyd, Ph.D.
Agency Secretary

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Arnold Schwarzenegger
Governor

AGENDA ANNOUNCEMENT

REGIONAL BOARD MEETING

Thursday, February 3, 2005, 9:00 A.M.

City of Santa Ana Council Chambers

22 Civic Center Plaza

Santa Ana

NOTICE

Changes and postponements that may occur to this agenda will be placed on our website and automatically forwarded to those who subscribe to our electronic mailing list. Anyone wishing to subscribe to our electronic agenda mailing list may do so, as follows: go to www.waterboards.ca.gov/santaana/ and choose "Subscribe to Electronic Mailing Lists" from the homepage. Those who are not subscribers should visit our website prior to the board meeting date.

Supporting documents for agenda items are now posted on our website at least 7 days prior to the scheduled meeting. To view or download the documentation, go to www.waterboards.ca.gov/santaana/ and select the item of interest.

1. **Introductions**
2. **Public Forum** — Any person may address the Board at the commencement of the meeting on any matter within the Regional Board's jurisdiction and not related to an item which is to be considered separately. The Regional Board Chair requests that each person addressing the Regional Board observe a five-minute time limit.
3. **Approval of the minutes of the Regular Meeting of December 20, 2004.**
{Catherine A. Ehrenfeld 951/782-3285 cehrenfeld@waterboards.ca.gov}
4. **Consideration of Consent Calendar Items.** Items marked with an asterisk are expected to be routine and non-controversial. The Regional Board will be asked to approve these items at one time without discussion. If any interested party, Board Member or staff requests that an item be removed from the calendar, it will be taken up in the order shown.
- *5. **Appeal of Staff's Denial of an Exemption from the Minimum Lot Size Requirement** —
Jeffrey Keat, 6557 Mulberry Street, Etiwanda, San Bernardino County, APN 0228-011-22
{Jun Martinez 951/782-3258 jmartirez@waterboards.ca.gov}

- *6. **Appeal of Staff's Denial of an Exemption from the Minimum Lot Size Requirement —**
Susan Hubert, 8172 La Senda Road, Alta Loma, San Bernardino County, APN 1061-101-10
{Jun Martinez 951/782-3258 jmartirez@waterboards.ca.gov}
- *7. **Appeal of Staff's Denial of an Exemption from the Minimum Lot Size Requirement —**
Michael and Karen Lind, 9589 Rancho Drive, Cherry Valley, Riverside County, APN
401-100-039-6.
{Jun Martinez 951/782-3258 jmartirez@waterboards.ca.gov}
- *8. **Appeal of Staff's Denial of an Exemption from the Minimum Lot Size Requirement —**
James De Mase, 5515 Marlatt Street, Mira Loma, Riverside County, APN 161-081-010-6
{Jun Martinez 951/782-3258 jmartirez@waterboards.ca.gov}
- *9. **Waste Discharge Requirements for the Nakase Brothers Wholesale Nursery —** For the
discharge of irrigation and storm runoff from the Nursery into Serrano Creek, a tributary of San
Diego Creek and Upper Newport Bay.
{Jun Martinez 951/782-3258 jmartirez@waterboards.ca.gov} Order No. R8-2005-0006
- *10. **Amendment of Order No. 01-34, NPDES No. CAG 618005, Discharges of Storm Water
Runoff Associated with New Developments in the San Jacinto Watershed —** to include an
exemption from obtaining coverage under this Order if the project has a Water Quality
Management Plan approved by the local agency. Order No. R8-2005-0038
{Milasol Gaslan 951-782-4419 mgaslan@waterboards.ca.gov}
- *11. **Vessel Waste Sewage Disposal Program —** The Board will consider the adoption of an order
requiring implementation of provisions of the Vessel Waste Sewage Disposal Program by specific
vessel terminal owner/operators, the Cities of Newport Beach and Huntington Beach and the
County of Orange. Order No. R8-2005-011
{Hope Smythe 951/782-4493 hsmythe@waterboards.ca.gov}
- 12. **Storm Water Quality Standards Task Force Status Report —** Representatives of the Task
Force will provide a report on the current status of the work being conducted by the Task Force to
consider revised bacterial quality objectives to protect water contact recreational (REC-1) uses of
inland and estuarine surface waters within the Santa Ana Region.
{Joanne Schneider 951/782-3287 jschneider@waterboards.ca.gov}
- 13. **Administrative Civil Liability Complaint, City of Stanton, Orange County —** The Board will
consider whether to affirm, reject, or modify the administrative civil liability assessment proposed
in Administrative Civil Liability Complaint No. R8-2004-0084.
{Mark E Smythe 951/782-4998 msmythe@waterboards.ca.gov} Order No. R8-2005-0032
- 14. **Administrative Civil Liability Complaint, City of Buena Park, Orange County —** The Board
will consider whether to affirm, reject, or modify the administrative civil liability assessment
proposed in Administrative Civil Liability Complaint No. R8-2004-0083.
{Mark E Smythe 951/782-4998 msmythe@waterboards.ca.gov} Order No. R8-2005-0031
- 15. **Administrative Civil Liability Complaint, City of La Habra, Orange County —** The Board will
consider whether to affirm, reject, or modify the administrative civil liability assessment proposed
in Administrative Civil Liability Complaint No. R8-2004-0082.
{Mark E Smythe 951/782-4998 msmythe@waterboards.ca.gov} Order No. R8-2005-0030

16. **Mandatory Penalties Complaint, Hamid Farsai, Huntington Beach ARCO, 6002 Bolsa Avenue, Huntington Beach.** — The Board will consider whether to affirm, reject, or modify the proposed mandatory penalties proposed in Mandatory Penalties Complaint No. R8-2004-0077. (Postponed from the December 20, 2004 Board Meeting) Order No. R8-2005-042
{Ken Williams 951/782-4496 kwilliams@waterboards.ca.gov}
17. **Mandatory Penalties Complaint, Venus Laboratories, Inc., 12601 Monarch Street, Garden Grove** — The Board will consider whether to affirm, reject, or modify the mandatory penalties proposed in Mandatory Penalties Complaint No. R8-2004-0075. Order No. R8-2005-0040
{Mark E Smythe 951/782-4998 msmythe@waterboards.ca.gov}
18. **Public Workshop - Incorporation of Total Maximum Daily Loads (TMDLs) for Bacterial Indicators for Specific Waterbodies in the Middle Santa Ana River Watershed** — The Regional Board will conduct a public workshop to receive comments concerning a proposed amendment to the Water Quality Control Plan for the Santa Ana Region (Basin Plan) to incorporate TMDLs for bacterial indicators for several waterbodies in the Middle Santa Ana River Watershed. No action on the proposed amendment will be taken. The Board will consider adoption of the amendment, revised as appropriate in response to comments, at a subsequent public hearing. (Information item)
{Hope Smythe 951/782-4493 hsmythe@waterboards.ca.gov}
19. **Newport Bay/San Diego Creek Watershed Toxics TMDLs and Proposed Regional Monitoring Program (RMP)** — Board staff will provide an update on the Newport Bay toxics TMDLs development, including a proposed toxics RMP to collect comprehensive water quality data in the Newport Bay watershed.
{Wanda Marquis-Smith 951/782-4468 wmarquis-smith@waterboards.ca.gov}
20. **Executive Officer's Report** (information item).
{Gerard J. Thibeault 951/782-3284 gthibeault@waterboards.ca.gov}
21. **Regional Board Member Communications** — Board Members may discuss meetings, communications, correspondence, or other items of general interest relating to matters within the Regional Board's jurisdiction. There will be no voting or formal action taken.
22. **Closed Session:** At any time during the regular session, the Regional Board may adjourn to a closed session to consider litigation, personnel matters, or to deliberate on a decision to be reached based upon evidence introduced during a hearing. Discussion of litigation is within the attorney/client privilege and may be held in closed session.

Authority: Government Code Section 11126 (a), (c)(3), and (e). Items which may be discussed in closed session by the Board, include litigation related to:

1. Stringfellow Hazardous Waste Site
2. Potential litigation: Discussion of Executive Officer's referral to the District Attorney of Clean Water Act violations for criminal prosecution.
3. Kwikset Corporation v. California Regional Water Quality Control Board, Santa Ana Region, Superior Court for Riverside County, Case No. 391541.
4. Emhart Industries, Inc. v. California Regional Water Quality Control Board, Santa Ana Region, Superior Court for Riverside County, Case No. 397528.
5. Yucaipa Glen LLC

6. Potential litigation: Cities of Rancho Cucamonga and Upland v. California Regional Water Quality Control Board, Santa Ana Region, and State Water Resources Control Board, Superior Court for San Bernardino County, Case No. RCV 071613.
7. Waste Discharge Requirements for the Rapid Infiltration and Extraction Facility (RIX).
23. **Adjournment** to the regular meeting of March 4, 2005, at 9:00 a.m., at City of Loma Linda Council Chambers, 25541 Barton Road, Loma Linda.

NOTICES

Any person who has a disability and requires reasonable accommodation to participate in this Regional Board Meeting should contact Catherine Ehrenfeld at cehrenfeld@waterboards.ca.gov or at 951/782-3285 no later than ten (10) days prior to meeting.

Any person interested in obtaining information and/or providing input regarding pending applications for Water Quality Standards Certification under Section 401 of the Federal Clean Water Act may do so by contacting Mark G. Adelson at 951/782-3234.

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